



#7  
Docket No. GZ210100

**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[ ] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner \_\_\_\_\_ at Facsimile No. \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

Dated: December 14, 2001

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Charles A. Nicolette

Assignee: Genzyme Corp.

Filing Date: May 30, 2001

Examiner: Not Yet Assigned

Serial No.: 09/870,216

Group Art Unit: 1653

Title: THERAPEUTIC COMPOUNDS FOR OVARIAN CANCER

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**RESPONSE TO NOTICE TO COMPLY  
AND SECOND PRELIMINARY AMENDMENT**

Box Sequence Listing  
Commissioner for Patents  
Washington, D.C. 20231

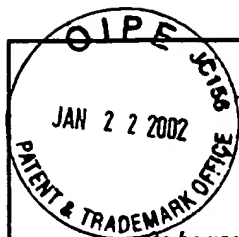
Dear Sir:

The Notice to Filing Missing Parts of Application and Notice to Comply with Sequence Requirements was issued by the U.S. Patent and Trademark Office on August 8, 2001, in connection with the above-identified application. On September 24, 2001, the Oath and Declaration were filed in reply to the Missing Parts Notice. Enclosed herewith is Applicant's reply to the Notice to Comply, and a three month extension of time. In view of the filing of the three month extension of time and payment of the fee, thereby extending the deadline to January 8, 2002, this reply is timely filed.

Also enclosed is a Second Preliminary Amendment for consideration and entry into the subject application. The requested amendments are identical to those initially filed on September 24, 2001. The amendments are refiled because Applicant's copy of the filed amendment is unsigned.

1653 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



TRANSMITTAL  
FORM

(to be used for all correspondence after filing)

Total number of Pages in this submission 26

Application Number	09/870,216
Filing Date	May 30, 2001
First Named Inventor	Charles A. NICOLETTE
Group Art Unit	1653
Examiner Name	Unassigned
Attorney Docket No.	GZ 2101.00

Commissioner for Patents  
Washington, D.C. 20231

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ENCLOSURES (check all that apply)

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- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> FEE TRANSMITTAL FORM  | <input type="checkbox"/> ASSIGNMENT PAPERS<br>(FOR AN APPLICATION)                             | <input type="checkbox"/> AFTER ALLOWANCE<br>COMMUNICATION TO GROUP   |
| <input type="checkbox"/> FEE ATTACHED   | <input type="checkbox"/> DRAWING(S)  | <input type="checkbox"/> APPEAL COMMUNICATION TO BOARD<br>OF APPEALS AND INTERFERENCES   |
| <input type="checkbox"/> AMENDMENT/RESPONSE   | <input type="checkbox"/> LICENSING-RELATED<br>PAPERS   | <input type="checkbox"/> APPEAL COMMUNICATION TO GROUP<br>(APPEAL NOTICE, BRIEF, REPLY BRIEF)  |
| <input type="checkbox"/> AFTER FINAL  | <input type="checkbox"/> PETITION ROUTING SLIP<br>(PTO/SB/60) AND<br>ACCOMPANYING<br>PETITION) | <input type="checkbox"/> PROPRIETARY INFORMATION   |
| <input type="checkbox"/> AFFIDAVITS' DECLARATION(S)   | <input type="checkbox"/> TO CONVERT A<br>PROVISIONAL<br>APPLICATION                            | <input type="checkbox"/> STATUS LETTER   |
| <input checked="" type="checkbox"/> EXTENSION OF TIME   | <input type="checkbox"/> POWER OF ATTORNEY,<br>REVOCATION CHANGE OF<br>CORRESPONDENCE ADDRESS  | <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S)<br>(PLEASE IDENTIFY BELOW):  |
| <input type="checkbox"/> EXPRESS ABANDONMENT REQUEST  | <input type="checkbox"/> TERMINAL DISCLAIMER   | NOTICE TO COMPLY, SECOND PRELIMINARY<br>AMENDMENT, SUBSTITUTE SEQUENCE LISTING AND<br>MARKED-UP VERSIONS, COMPUTER DISKETTE AND<br>RETURN POSTCARD |
| <input type="checkbox"/> INFORMATION DISCLOSURE<br>STATEMENT W/1449                                 | <input type="checkbox"/> SMALL ENTITY STATEMENT  |  |
| <input type="checkbox"/> CERTIFIED COPY OF PRIORITY<br>DOCUMENT(S)                                  | <input type="checkbox"/> REQUEST FOR REFUND  |  |
| <input type="checkbox"/> RESPONSE TO MISSING PARTS/<br>INCOMPLETE APPLICATION                       |  |  |
| <input type="checkbox"/> RESPONSE TO MISSING PARTS<br>UNDER 37 CFR 1.52 OR 1.53<br>COPY OF PTO-1533 |  |  |
| <input type="checkbox"/> ISSUE FEE TRANSMITTAL  |  |  |

REMARKS:

MCCUTCHEN, DOYLE, BROWN & ENERSEN LLP  
THREE EMBARCADERO CENTER, SUITE 1800  
SAN FRANCISCO, CA 94111  
TELEPHONE: (650) 849-4050  
FACSIMILE: (650) 849-4800

DATE: DECEMBER 14, 2001

BY:

ANTOINETTE P. KONSKI (REG. NO. 34,202)

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: December 14, 2001

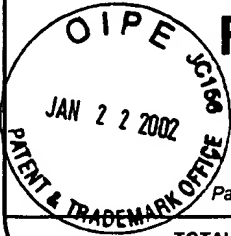
By:

Peggy Nichols

Name of person signing: Peggy Nichols

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL FOR FY 2002



Patent fees are subject to annual revision.

## Complete If Known

Application Number 09/870,216  
Filing Date May 30, 2001  
First Named Inventor Charles A. NICOLETTE  
Examiner Name Unassigned  
Group Art Unit 1653  
Attorney Docket No. GZ 2101.00

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TOTAL AMOUNT OF PAYMENT

(\$920.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

50-1189

Deposit  
Account  
Name

McCutchen Doyle Brown & Enersen LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
- 20** =	x	= \$	
Independent Claims - 3** =	x	= \$	
Multiple Dependent		= \$	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	330	219	160	Notice of Appeal	
120	330	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$920.00

## SUBMITTED BY

Name (Print/Type)

Antoinette F. Koniski

Registration No.  
(Attorney/Agent)

34,202

Complete (if applicable)

Telephone (650) 849-4950

Signature

Antoinette F. Koniski

Date Dec 14, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.